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Paper No. 30

In re Application of
David Brian Edwards *et al*
Application No. 09/525,083
Filed: March 14, 2000
Attorney Docket No. 99-0271-UNI

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: DECISION ON PETITION
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This is a decision on the petition filed on January 20, 2004 by which petitioners request withdrawal of the holding that this application stands abandoned for failure to timely file a reply to the Office letter dated September 24, 2003. No fee is required for the petition, which is considered pursuant to 37 CFR 1.181.

The petition is granted.

Petitioners allege that this application is not abandoned. Petitioners support their allegation by enclosing a copy of a reply that responds to the Office letter in question (a decision by the Board of Patent Appeals and Interferences containing a new ground of rejection under 37 CFR 1.196(b)) and a copy of a filing receipt for the reply showing that the reply was received in the Office on November 24, 2003. As a reply to the Office letter in question was filed within the time for filing a reply as set by the Office letter in question, it is clear that this application is not abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application will be forwarded to the examiner for action on the reply filed on November 24, 2003.

PETITION GRANTED.

E. Rollins-Cross, Director
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